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**Fax Transmission** | August 3, 2006

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|                 |              |                |                        |
|-----------------|--------------|----------------|------------------------|
| To:             | OIPE         | From:          | D. Kent Stier, Esq.    |
| Group Art Unit: |              |                | Merri D. Cruz          |
| US SN:          | 09/739,340   |                |                        |
| Fax No.:        | 571.273.8300 | Our Ref.:      | 60027.0407US01/BS00068 |
| Phone No.:      | 571.272.4000 | Fax No.:       | 404.954.5099           |
|                 |              | Phone No.:     | 202.954.5066           |
|                 |              | Return Fax To: | 404.954.5099           |
|                 |              | Total Pages:   | 8                      |

Confirmation via Mail: YES ☐ NO ☒**Document Transmitted:**

Communication regarding Tenth Supplemental Information Disclosure Statement filed on April 25, 2006.

**Message:**

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S/N 09/739,340

**AUG 03 2006**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                 |                        |
|-------------|---|-----------------|------------------------|
| Applicant:  | Robert T. Moton Jr., <i>et al.</i>                                    | Examiner:       | Cumming, William D.    |
| Serial No.: | 09/739,340  | Group Art Unit: | 2617                   |
| Filed:      | December 19, 2000   | Docket No.:     | 60027.0407US01/BS00068 |
| Title:      | System and Method for Using Location Information to Execute an Action |                 |                        |

**TENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**(37 C.F.R. § 1.97(c))**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

The documents disclosed herein are of record in Application No. 09/630,134, the specification of which is substantially the same as the specification in the present application.

This statement should be considered because it is submitted after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Please charge Deposit Account No. 13-2725 in the amount of \$180 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

**Certification Under 37 C.F.R. §1.97(c)(2)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that no item of information listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making a reasonable inquiry, no item of information listed on the enclosed

08/15/2006 EFLORES 00000094 132725 09739340

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Form 1449 was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided, except for the U.S. Patents.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD

Date: April 25, 2006

Merchant & Gould, LLC  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
Telephone: 404.954.5100

/Colin S. Wright/  
Colin S. Wright  
Reg. No. 57,202



Date Mailed: April 25, 2006

Sheet 1 of 1

|   |   |  |
|---|---|--|
| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b><br><br><b>IN AN APPLICATION</b><br><br>(Use several sheets if necessary) | <b>Docket Number:</b><br>60027.0407US01/BS00068 | <b>Application Number:</b><br>09/739,340 |
|   | <b>Applicant:</b> Robert T. Moton Jr., et al.   |  |
|   | <b>Filing Date:</b> December 19, 2000           | <b>Group Art Unit:</b> 2683              |

| U.S. PATENT DOCUMENTS |              |         |              |       |          |                               |
|-----------------------|--------------|---------|--------------|-------|----------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NO. | DATE    | NAME         | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       | 6,868,074    | 03/2005 | Hanson, Joel | 370   | 328      |                               |
|                       | 6,233,329    | 05/2001 | Urban et al. | 379   | 142.1    |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |
|                       |              |         |              |       |          |                               |

| FOREIGN PATENT DOCUMENTS |              |      |         |       |          |             |    |
|--------------------------|--------------|------|---------|-------|----------|-------------|----|
|                          | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |              |      |         |       |          | YES         | NO |
|                          |              |      |         |       |          |             |    |
|                          |              |      |         |       |          |             |    |
|                          |              |      |         |       |          |             |    |
|                          |              |      |         |       |          |             |    |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |   |
|--|--|---|
|  |  | U.S. Official Action dated February 24, 2006 cited in U.S. Application No. 09/630,134 |
|  |  |   |
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|  |  |   |

**39262**

PATENT TRADEMARK OFFICE

|   |                        |
|---|------------------------|
| <b>EXAMINER</b>   | <b>DATE CONSIDERED</b> |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                        |

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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AUG 03 2006

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert T. Moton, Jr., et al. Examiner: Cumming, William D.  
Serial No.: 09/739,340 Group Art Unit: 2617  
Filed: December 19, 2000 Docket No.: 60027.0407US01/BS00068  
Allowed: April 10, 2006 Confirmation No.: 2530  
Title: System and Method for Using Location Information to Execute an Action

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 3, 2006.

By:   
Name: Merri D. Cruz

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Further to the telephone conference between Examiner Cumming and Merri D. Cruz on July 26, 2006, the Tenth Supplemental Information Disclosure Statement filed on April 25, 2006 was erroneously submitted under 37 C.F.R. §1.97(c) which should have been submitted under 37 C.F.R. §1.97(d). The language submitted in this Tenth Supplemental Information Disclosure Statement was accurate in meeting the Certification under 37 C.F.R. §1.97(e)(2) and authorizing to charge the deposit account for the Submission of the Information Disclosure Statement fee. A copy of this Tenth Supplemental Information Disclosure Statement is attached hereto for your convenience.

Consideration of this Communication regarding the filing of the Tenth Supplemental Information Disclosure Statement is respectfully requested. Further, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned and charge the appropriate fee of \$180.00 for Submission of

S/N: 09/739,340

the Information Disclosure Statement to our Deposit Account No. 13-2725 as stated in the attached Tenth Supplemental Information Disclosure Statement.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

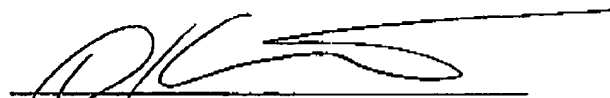
Respectfully submitted,

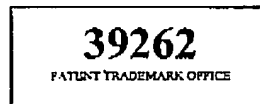
MERCHANT & GOULD P.C.

P.O. Box 2903  
Minneapolis, MN 55402-0903  
404.954.5066

Date: August 3, 2006

DKS:mdc

  
Dr. Kent Stier  
Reg. No. 50,640



**Acknowledgement Receipt**

The USPTO has received your submission at **15:04:11** Eastern Time on **25-APR-2006** by Deposit Account: 132725.

\$ **180** fee paid by e-File via *RAM* with Confirmation Number: 25.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

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**AUG 03 2006**

**eFiled Application Information**

|   |  |
|---|--|
| EFS ID                                    | 1030670  |
| Application Number                        | 09739340   |
| Confirmation Number                       | 2530   |
| Title                                     | SYSTEM AND METHOD<br>FOR USING LOCATION<br>INFORMATION TO<br>EXECUTE AN ACTION |
| First Named Inventor                      | Robert T. Moton  |
| Customer Number or Correspondence Address | 39262  |
| Filed By                                  | Colin Wright/Amy Kwon  |
| Attorney Docket Number                    | BS00-068   |
| Filing Date                               | 19-DEC-2000  |
| Receipt Date                              | 25-APR-2006  |
| Application Type                          | Utility  |

**Application Details**

| Submitted Files  | Page Count | Document Description                         | File Size    | Warnings   |
|--|------------|--|--------------|------------|
| 0407us01_10th_Supp_IDS.pdf   | 2          | Information Disclosure Statement (IDS) Filed | 94238 bytes  | ⚠ WARNINGS |
| This is not an USPTO supplied IDS fillable form  |            |  |              |            |
| 0407US01_10th_supp_Form_1449.pdf   | 1          | Information Disclosure Statement (IDS) Filed | 144843 bytes | ⚠ WARNINGS |
| This is not an USPTO supplied IDS fillable form  |            |  |              |            |
| 0405us01_Office_Action_02_24_06.pdf  | 24         | NPL Documents                                | 591628 bytes | ⚠ WARNINGS |
| The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing |            |  |              |            |
| fee-info.pdf   | 2          | Fee Worksheet (PTO-875)                      | 8188 bytes   | ✔ PASS     |

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

*If you need help:*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the USPTO Contact Center (UCC).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.*